

**Minutes of Land Use, Parks and Environment Committee**  
**Tuesday, April 6, 2010**

Chair Fritz Ruf called the meeting to order at 8:30 a.m. and led the Committee in the Pledge of Allegiance.

**Committee Present:** Supervisors Fritz Ruf (Chair), Walter Kolb (Vice-Chair), James Jeskewitz, Janel Brandtjen, Gilbert Yerke, Ted Rolfs and Rob Hutton.

**Also Present:** Chief of Staff Mark Mader, Legislative Associate Karen Phillips, Planning and Zoning Manager Dick Mace, Legislative Policy Advisor Sarah Spaeth, Parks System Manager Duane Grimm, Senior Financial Analyst Bill Duckwitz, Karlis (Chuck) Vecitis of Chuck's Lakeside Inc., Nick Collins of First Bank Financial Centre, and Attorney Michael Schober.

**Approve Minutes of March 16, 2010**

MOTION: Jeskewitz moved, second by Kolb, to approve the minutes of March 16, 2010.  
Motion carried: 7-0.

**Executive Committee Report**

Ruf summarized the items discussed at the Executive Committee meeting of March 29, 2010.

- Update on Information Technology Projects: CAD-Geo-Based System Selection, Tax System, Tract Index System, Countywide Cashiering
- Review of the 2010-2012 Audit Plan
- Review of the 2009 Cash Count Report
- Appointments (2)

**Legislative Update**

Spaeth gave a brief update on the following legislative items: AB 843 (energy conservation standards); AB 844 (groundwater management – the County has no opinion at this point); AB 906 (modifies platting requirements - the County is opposed)

The Chair and Committee recognized Mace for his forty-four years of distinguished service. Mace expressed his thanks and gratitude for the many excellent years he spent in Waukesha County.

**Discuss and Consider Ordinance 164-O-106: Repeal And Recreate The Zoning Map Of The Town Of Mukwonago Zoning Code Under Section 82-51(A) Of The Town Of Mukwonago Municipal Code (ZT-1699)**

Mace discussed this ordinance which requests an amendment to the Town of Mukwonago Zoning map. The new map includes various amendments that were incorporated over the years. The land acquired by the County for the expansion of Mukwonago Park has been kept in the AP Ag Preservation District; however, the map recognizes the parcel is publicly owned. At such time in the future as the County wishes to convert it to park use, there should be no difficulty in doing so. Mace stated the Planning and Zoning Division Staff recommend that this request be approved.

Yerke provided background information from the perspective of the Town of Mukwonago.

MOTION: Rolfs moved, second by Jeskewitz, to approve Ordinance 164-O-106.  
Motion carried: 7-0.

**Discuss and Consider Ordinance 164-O-107: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Summit And The Town Of Summit Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of The SE ¼ Of Section 9, T7N, R17E, Town Of Summit, Waukesha County, Wisconsin, From The NE Neighborhood Commercial, R-2 Residential And R-3 Residential Districts (Town) And The B-1 Restricted Business, R-1 Residential And A-3 Suburban Estate Districts (County) To The NC Neighborhood Commercial, R-2 Residential And R-3 Residential Districts With A Planned Development Overlay (PDO) District (Town) And The B-2 Local Business District (County) (SZT-1700)**

Mace described the subject properties, located on the north side of CTH B and west of Dousman Road, immediately north of the Silver Lake public boat launch facility. The owner/petitioner, Karlis (Chuck) Vecitis, is planning to repair and update the existing residence, upgrade and update the existing building (formerly Chuck's Supper Club) and reopen it as a new supper club. The neighbors and area residents are supportive of reopening a restaurant in this location. Mace stated that the Planning and Zoning Staff recommend that this request to amend the Town and County Shoreland Ordinance be approved.

**Public Comment**

Vecitis, Collins and Schober were present in support of this ordinance. Concerns about fugitive light, unauthorized parking, and the proposed outdoor deck at the restaurant were satisfactorily addressed. Schober further addressed Rolfs' concern about the surface water runoff from the parking lot into the lake. He explained that the County may require an asphalt strip to be removed and replaced with grass to lessen the runoff. Part of the parking lot is gravel and it will remain that way. If adjoining lands are acquired in the future, perhaps something could be done then; however, presently there is not much more that can be done.

MOTION: Yerke moved, second by Brandtjen, to approve Ordinance 164-O-107.  
Motion carried: 7-0.

**Discuss and Consider Ordinance 164-O-108: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 35, T8N, R19E, Town Of Oconomowoc, Waukesha County, Wisconsin, From The R-2 Residential District To The B-2 Local Business District (CZ-1696)**

Mace pointed out the two adjacent properties located in the Town of Oconomowoc. Currently, the property is not occupied. The existing main structure was previously occupied as a restaurant and tavern known as Ron's Cozy Corner. It is presently zoned residential but had a conditional use permit, which has since expired. The petitioner is proposing to sell the property and would like to market it for business use. Mace opined that the property would better be utilized for office space or duplexes. The building is in poor condition. There is no buyer for this property at this time. There are numerous improvements needed, including significant fencing and landscaping work. Area residents oppose the Residential to Business zoning change, mainly because of past issues with traffic, littering, noise and disturbances related to the tavern.

Rolfs stated he would oppose the proposed rezoning since there is much opposition from the neighbors and there is no defined plan at this time. He would prefer to wait until a buyer is found before any rezoning occurs. Ruf and Hutton agreed.

MOTION: Rolfs moved, second by Brandtjen, to approve Ordinance 164-O-108.

Mace did point out that the Planning and Zoning Staff reluctantly recommended approval of this proposed rezone in an effort to agree with the Town's decision. Kolb said he does have some empathy for the owner, as the rezone would make the properties more salable; however, there is a petition from all 36 neighbors opposing it.

Motion carried: 5-2 (Rolfs, Ruf).

**Discuss and Consider Ordinance 164-O-109: Approve Reese Property Acquisition**

Grimm pointed out the County-owned properties along the Pewaukee River in the areas adjacent to the Reese property. The acquisition of the subject property would allow the expansion of the existing trail system while avoiding going through wetland areas. The previous attempt to acquire the property was delayed due to some permitting issues. In 2008, the appraisal/selling price was approximately \$285,000; the new appraisal/purchase price is \$270,258.

Hutton maintained his opposition to this land acquisition.

MOTION: Rolfs moved, second by Jeskewitz, to approve Ordinance 164-O-109.

Motion carried: 6-1 (Hutton).

**Reaffirmation of Resolution 164-R-008: Prairie Home Cemetery "Section 12" Cemetery Approval**

Mace explained that the reaffirmation of this resolution is necessary because the subject cemetery plat was not recorded in the Office of the Register of Deeds in a timely manner. According to Chapter 157 of the Wisconsin Statutes, a cemetery plat must be recorded within 30 days of its approval or it becomes void.

MOTION: Rolfs moved, second by Jeskewitz, to reaffirm the approval of Resolution 164-R-008.

Motion carried: 7-0.

MOTION: Brandtjen moved, second by Hutton, to adjourn at 10:02 a.m.

Motion carried: 7-0.

Respectfully submitted,

Jim Jeskewitz,  
Secretary